

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Jo Ann Fonzzone aka Judy McGrath
Plaintiff

CIVIL ACTION
No. 12-5726

v.

Joe Otter, et al
Defendants

Plaintiff's CAUSE WHY THIS PERSONAL INJURY ACTION
SHALL NOT BE UNJUSTLY DISMISSED

1. Plaintiff, by and through her attorney, Jo Ann Fonzzone, Esquire (disabled by incidents on Oct. 6, 2010, subject of this action, hereby offers the following in support of her contention:
 - A. Plaintiff was a crime victim of two incidents of aggravated assaults, one at 5:45 p.m. by Joe Otter, and later by Officer Kelenowski at 6:15 and has evidence of these facts.
 - B. Plaintiff suffered serious trauma to her head, neck, chest, right shoulder, arm, hand and wrist during the incidents at the stadium. She was shot at 5:45 and then later at 6:15 and has a police recording of the latter when she phoned 911 for help as she was in fear for her life after being thrown against the wall by Kelenowski. The first of two times she phoned 911 for help, he believed she knew Plaintiff phoned 911 for help; he believed she had a camera phone.
 - C. Plaintiff's medical costs, damages, medical treatment (beginning in Emergency Room in Philadelphia) and are continuing with neurologists in concussion, seizure, chronic migraines, tinnitus, that in 2019 Plaintiff went deaf in her right ear from the head trauma.

- C. From the neck trauma and trauma to her back, Plaintiff suffered many disk herniations, had surgeries, continuous treatment and now has heightened pain in the thoracic area of her spine, scheduled for MRI prior to her appointment with orthopaedic on 3/31/22.
- D. From the chest trauma Plaintiff continues to treat with cardiologists (was hospitalized many times since 2010) for cardiac conditions caused by the defendants striking her chest repeatedly because she called 911 for help.
- E. From trauma to her right side, Plaintiff has weakness to her right hand, suffered wrist fracture and has damage and chronic pain to her right shoulder and right upper back fibromyalgia.

Plaintiff has suffered loss of enjoyment of life, damage to her career and many other damages as a result of being a victim who did nothing wrong except go to a Major League Baseball playoff game.

WHEREFORE, Plaintiff's injury case must not be dismissed in the interests

of JUSTICE, I am in the Clerk's office in Allentown, PA writing this because I just now was given a copy of the Order of 3/10/21 by Evelyn.

(I DID NOT previously have these orders with a 9 day Ruler) Respectfully submitted,

Jason Fonzore, Esquire
aka Judy McGrath
Plaintiff, witness, VICTIM

631 Primrose Lane
Allentown PA 18104

2:25pm